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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/995,028	11/26/2001	Chandrasekharan Seetharaman	BEA920010028US1	9618
30011	7590	12/07/2006	EXAMINER	
LIEBERMAN & BRANDSDORFER, LLC 802 STILL CREEK LANE GAIITHERSBURG, MD 20878			SCUDERI, PHILIP S	
			ART UNIT	PAPER NUMBER
			2153	

DATE MAILED: 12/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/995,028	SEETHARAMAN ET AL.
	<b>Examiner</b> Philip S. Scuderi	<b>Art Unit</b> 2153

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 22 November 2006.
- 2a) This action is FINAL.                  2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1,3-8,10-14 and 16-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1,3-8,10-14 and 16-20 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Continued Examination Under 37 CFR 1.114*

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 22 November 2006 has been entered.

### *Response to Arguments*

Applicant's arguments have been considered but are moot in view of the new grounds of rejection below.

### *Claim Rejections - 35 USC § 112*

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

**Claims 10-13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

It is unclear which label the limitation(s) "said label" in claims 10, 12, and 13 are referring to because claims 8 and 10 both recite the limitation "a label."

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1, 3-8, 10-14, and 16-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blumenau (US 6,845,395) in view of Imamura (US 6,604,153).**

Regarding claim 1, Blumenau teaches a network over which nodes send access requests and access storage media (figure 3). Blumenau does not limit the storage media to being any particular type of storage media.

Imamura teaches a system for:

reading a storage media label in response to an access request to storage media (column 5, lines 62-65);

obtaining a hardware identifier from said storage media (column 5, lines 62-65);  
comparing said hardware identifier of said storage media with a hardware identifier field of said label (column 6, lines 7-11);

establishing access rights to said storage media (column 6, lines 7-11),  
the step of establishing access rights is responsive at least in part to a hard attribute of said storage media (column 5, lines 62-65),

wherein said hard attribute includes said hardware identifier field having a serial number (column 5, lines 6-11); and  
accessing said storage media according to said access rights (column 6, lines 12-15).

It would have been obvious to one of ordinary skill in the art to access Blumenau's storage media using Imamura's system because Imamura's system provides advantages such as ensuring the secrecy and security of data on the storage media (Imamura, column 1, lines 46-48).

Regarding claim 3, Imamura teaches that the label (device identifier) includes said hard attribute (serial number), a type field (serial number inherently identifies the type of storage device). The serial number identifies the storage device (Imamura, column 5, lines 6-13), which is a node in Blumenau's system (Blumenau, figure 3).

Regarding claim 4, the type field does not indicate said storage media is node-owned.

Regarding claim 5, the cluster identifier does not indicate said storage media is cluster-owned.

Regarding claim 6, Blumenau teaches that a label includes an activity data field and an activity data counter field (column 20, lines 20-51).

Regarding claim 7, Blumenau teaches that that network is a SAN (figure 3).

Regarding claims 8, this claim is rejected using the same rationale as claim 1.

Regarding claim 10, Blumenau expressly discloses providing access to said storage media in response at least in part to a label that includes a hard attribute of said storage media and a node identifier field (column 10, lines 22-34). The node identifier (address) inherently identifies the type of storage node.

Regarding claim 11, the type field does not indicate said media is node-owned.

Regarding claim 12, the type field does not indicate said media is cluster-owned.

Regarding claim 13, Blumenau teaches that a label includes an activity data field and an activity data counter field (column 20, lines 20-51).

Regarding claims 14, this claim is rejected using the same rationale as claim 1.

Regarding claims 16 and 17, Blumenau teaches granting an access request responsive to confirmation of node/cluster ownership of said media (column 10, lines 22-34).

Regarding claims 18, this claim is rejected using the same rationale as claim 1.

Regarding claim 19, Imamura does not teach that the label does not contain a type field and a node identifier.

Regarding claim 20, Imamura does not teach that the label does not contain a type field and a cluster identifier.

**Claims 1, 3-5, 7, 8, 10-12, 14, and 16-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kitamura (US 6,816,948) in view of Imamura (US 6,604,153).**

Regarding claim 1, Kitamura teaches a network over which nodes send access requests and access storage media (figure 1). Kitamura does not limit the storage media to being any particular type of storage media.

Imamura teaches a system for:

reading a storage media label in response to an access request to storage media (column 5, lines 62-65);

obtaining a hardware identifier from said storage media (column 5, lines 62-65);

comparing said hardware identifier of said storage media with a hardware identifier field of said label (column 6, lines 7-11);

establishing access rights to said storage media (column 6, lines 7-11),

the step of establishing access rights is responsive at least in part to a hard attribute of said storage media (column 5, lines 62-65),

wherein said hard attribute includes said hardware identifier field having a serial number (column 5, lines 6-11); and accessing said storage media according to said access rights (column 6, lines 12-15).

It would have been obvious to one of ordinary skill in the art to access Kitamura's storage media using Imamura's system because Imamura's system provides advantages such as ensuring the secrecy and security of data on the storage media (Imamura, column 1, lines 46-48).

Regarding claim 3, Imamura teaches that the label (device identifier) includes said hard attribute (serial number), a type field (serial number inherently identifies the type of storage device). The serial number identifies the storage device (Imamura, column 5, lines 6-13), which is a node in Kitamura's system (Kitamura, figure 1).

Regarding claim 4, the type field does not indicate said storage media is node-owned.

Regarding claim 5, the cluster identifier does not indicate said storage media is cluster-owned.

Regarding claim 7, Kitamura teaches that that network is a SAN (figure 1).

Regarding claim 8, this claim is rejected using the same rationale as claim 1.

Regarding claim 10, Imamura discloses providing access to said storage media in response at least in part to a label that includes a hard attribute of said storage media and a node identifier field (column 5). The node identifier (device identifier) inherently identifies the type of storage node.

Regarding claim 11, the type field does not indicate said media is node-owned.

Regarding claim 12, the type field does not indicate said media is cluster-owned.

Regarding claim 14, this claim is rejected using the same rationale as claim 1.

Regarding claims 16 and 17, Kitamura teaches granting an access request responsive to confirmation of node/cluster ownership of said media (figure 1).

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Regarding claim 18, this claim is rejected using the same rationale as claim 1.

Regarding claim 19, Imamura does not teach that the label does not contain a type field and a node identifier.

Regarding claim 20, Imamura does not teach that the label does not contain a type field and a cluster identifier.

### *Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip S. Scuderi whose telephone number is (571) 272-5865. The examiner can normally be reached on Monday-Friday 9:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton B. Burgess can be reached on (571) 272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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